

REMARKS

Applicant respectfully points out that a second (duplicative) final Office Action was sent to Applicant on August 12, 2005 resetting the period for response due to an apparent clerical error at the U.S. Patent Office.

However, applicant responded to the previously sent April 19, 2005 final Office Action with a one-month extension because the second final office Action dated August 12, 2005 had not been received by applicant's office prior to doing the same.

As such, applicant respectfully requests that the Response filed on August 18, 2005 be applied equally to both the April 19, 2005 and the August 12, 2005 final Office Actions since the two final Office Actions are identical.

Furthermore, applicant respectfully requests refund of the one-month extension fee paid since the period for response had been reset based on the August 12, 2005 action.

Applicant believes that this response is sufficient for the duplicative August 12, 2005 final Office Action and that no further remarks are necessary.

If this assumption is incorrect, the Examiner is requested to contact the undersigned immediately.

Conclusion

In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 to schedule a Personal Interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.

Dated: August 30, 2005

Respectfully submitted,

By

Terrell C. Birch
Registration No. 19,382
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant